



UNITED STATES PATENT AND TRADEMARK OFFICE

Handwritten signature
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,470	10/16/2003	Warren Stern	SOHN-P01-001	8880
28120	7590	07/27/2007		
FISH & NEAVE IP GROUP ROPES & GRAY LLP ONE INTERNATIONAL PLACE BOSTON, MA 02110-2624			EXAMINER SCHLIENTZ, NATHAN W	
			ART UNIT 1616	PAPER NUMBER
			MAIL DATE 07/27/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary	Application No.	Applicant(s)	
	10/687,470	STERN, WARREN	
	Examiner	Art Unit	
	Nathan W. Schlientz	1616	

All participants (applicant, applicant's representative, PTO personnel):

(1) Nathan W. Schlientz.

(3) Yu Lu.

(2) Johann R. Richter.

(4) Matthew Vincent.

Date of Interview: _____.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: 1, 8 and 11.

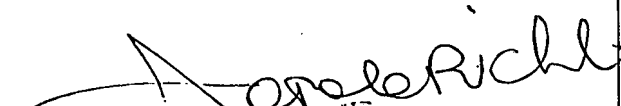
Identification of prior art discussed: U.S. 2006/0024238.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

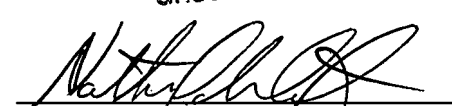
Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


JOHANN RICHTER
SENIOR ADVISORY PATENT EXAMINER
GROUP 1200

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The Non-Final Office Action, mailed 16 March 2007, was discussed. Attorney's Lu and Vincent discussed the clinical differences between sleep apnea and snoring. Attorney's Lu and Vincent will submit literature detailing the clinical differences. Also, attorney's Lu and Vincent will amend the claims in an attempt to distinguish the claim language from the prior art without the addition of new matter. At that time examiner's Schlientz and Richter will consider the literature submitted and the claim amendments. Attorney Lu discussed the rejection under 35 U.S.C. 112 2nd paragraph where Claim 11 refers to formulas I-XVIII. These formulas will be added to the claims to overcome the rejection.